



## UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/005,228	12/03/2001	Karen M. Lyons	22058-554

CONFIRMATION NO. 7961

## FORMALITIES LETTER



\*OC000000007393969\*

MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY and POPEO, P.C.  
One Financial Center  
Boston, MA 02111

Date Mailed: 01/30/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216

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- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

09-03-02  
Express Mail Label No.: EL947114359US  
Date of Deposit: August 29, 2002

MP #5  
Box Sepu  
Attorney Docket 22058-554



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Lyons *et al.*  
SERIAL NUMBER: 10/005,228 EXAMINER: Not Yet Assigned  
FILING DATE: December 3, 2001 ART UNIT: 1636  
FOR: METHOD AND COMPOSITION FOR MODULATING BONE GROWTH

**BOX Missing Parts**

Commissioner for Patents  
Washington, D.C. 20231

**TRANSMITTAL**

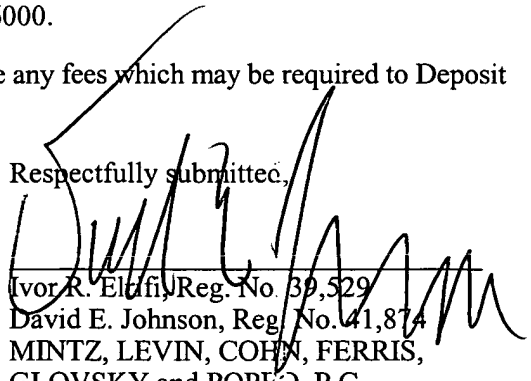
In response to the Notice to File Missing Parts mailed on January 30, 2002, attached please find:

1. Response to Notice to File Missing Parts (1 pg.);
2. A copy of the Notice to File Missing Parts (2 pgs);
3. Declaration and Combined Power of Attorney (7 counterparts) (25 pgs, total);
4. Preliminary Amendment (2 pgs);
5. Sequence Listing, paper copy (9 pgs);
6. Computer Readable Form (1 disk);
7. Statement in Support of Computer Readable Form Submission under 37 C.F.R. § 1.821(f) (1 pg.);
8. Petition for Extension of Time;
9. Check No. 13874 in the amount of \$130.00 to cover surcharge;
10. Check No. 13875 in the amount of \$1,960.00 to cover extension fee; and,
11. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at telephone (617) 542-6000.

The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account No. 50-0311 (Reference No. 22058-554).

Respectfully submitted,

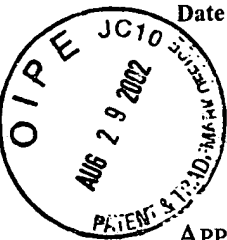
  
Ivor R. Elfi, Reg. No. 39,529  
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Date: August 29, 2002



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PATENT TRADEMARK OFFICE



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Lyons *et al.*  
SERIAL NUMBER: 10/005,228 EXAMINER: Not Yet Assigned  
FILING DATE: December 3, 2001 ART UNIT: 1636  
FOR: METHOD AND COMPOSITION FOR MODULATING BONE GROWTH

**BOX Missing Parts**  
Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

In response to the Notice To File Missing Parts mailed January 30, 2002, Applicants submit herein an executed Combined Declaration and Power of Attorney (7 counterparts, 35 pgs. total) and payment of the \$130.00 surcharge for late filing (Check #13874). Also enclosed is a Petition for Extension of Time for five months with a check (#13875) in the amount of \$1,960.00, a paper copy of the sequence listing, a computer readable copy of the sequence listing and a statement in support of the computer readable format. The response is due on August 30, 2002, with a five-month extension.

Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311 (Reference No. 22058-554).

Respectfully submitted,

Ivor R. Elafi, Reg. No. 39,529  
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Date: August 29, 2002